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MEMO ENDORSED

March 8, 2024

VIA ECF

Honorable Barbara C. Moses, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl Street, Room 740
United States Courthouse
New York, NY 10007

Re: *Rachel Isaac-Menard v. Adelphi University and Violeta Ilik*
1:23-cv-02322

Dear Judge Moses:

Please be advised that this firm represents Defendants, Adelphi University and Violeta Ilik ("Defendants"), in the above-referenced action. We submit this letter pursuant to Rule 2(a) of Your Honor's Individual Practices to request an adjournment of the Discovery Conference scheduled for March 18, 2024, and an extension of the parties' March 14, 2024 deadline to submit a joint letter regarding outstanding discovery disputes in this matter for a period of at least three weeks in light of an emergency medical situation in the undersigned's family. Plaintiff's counsel does not consent to this request.

By Order dated March 4, 2024 (ECF Doc. 32), Your Honor scheduled a Discovery Conference for March 18 and directed counsel to meet and confer regarding the parties' discovery disputes and to file a joint reply letter by March 14 outlining any remaining issues. Counsel have not yet had the opportunity to meet and confer regarding this matter since the March 4 Order.

I have been away and last night, I learned that my 80 year old mother, who is traveling alone overseas, has been hospitalized. She is to undergo surgery this week. I am presently rushing to get to her in Barcelona, Spain. My office contacted Plaintiff's counsel to request consent to an extension and an adjournment of two weeks. Plaintiff's counsel does not consent and stated that a two week adjournment would be difficult for his schedule.

For the above reasons, Defendants request a three week adjournment of the Discovery Conference and an extension of the deadline to submit the joint reply letter regarding remaining discovery issues. Given the time difference and circumstances, it will be very difficult for me to participate in a meeting with counsel.

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We thank the court for its consideration.

Respectfully submitted,

Claudia A. Costa

Claudia A. Costa, Esq.

CAC:sav

cc: All Counsel of Record Via ECF

Application DENIED. The Court extends its sympathy to Ms. Costa and her family. However, defendants have not adequately explained why attorney Dawson cannot handle this matter in Ms. Costa's absence. The Court observes that Dawson has worked on this case since at least August 8, 2023. *See* Dkt. 21 (notice of appearance). Moreover, as plaintiffs point out, Dawson has been practicing law for over ten years, handles communications with plaintiffs' counsel regarding discovery issues, and has conducted a prior meet and confer with plaintiffs' counsel. Accordingly, the Court has no reason to doubt Mr. Dawson's abilities nor his familiarity with the case. Thus, the Court declines to adjourn upcoming deadlines.

The Clerk of Court is respectfully directed to close the motion at Dkt. 33.

SO ORDERED.



Barbara Moses
United States Magistrate Judge
March 11, 2024